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SAFEGUARDING YOUR FOOD AND DRUG SUPPLIES -- NO. 10

213216a/ A radio talk by W. W. Vincent, chief, Western District, Food and Drug Administration, delivered Thursday, August 14 through stations KGO, San Francisco, KFI Los Angeles, and KEQ, Spokane, at 9:45 a.m. Pacific Standard Time.

Last week I told you something of the misbranding practices indulged in by certain unscrupulous fish packers and dealers in canned salmon and tuna; also something about how to read labels in the purchasing of those commodities. Many of you have written to me for this "Read the Label!" information which I am supplying to all those who place their names upon our mailing list.

Let's see, - this week I promised to tell you something about a sirup dealer who visualized the sale of immense quantities of sirup. He conceived a label implying the product a maple sirup, - but, analysis revealed it to be otherwise.

To begin this story, I must go back a long way, to a report rendered in March, 1923 by one of your Food and Drug inspectors. While making an inspection of a concern primarily engaged in the coffee and, incidentally, the sirup business, the inspector ascertained that a new sirup company had been incorporated under a name which prominently displayed the words "maple" and "sirup". It shared the same factory building with the coffee concern and he believed there was a financial connection existent between the two.

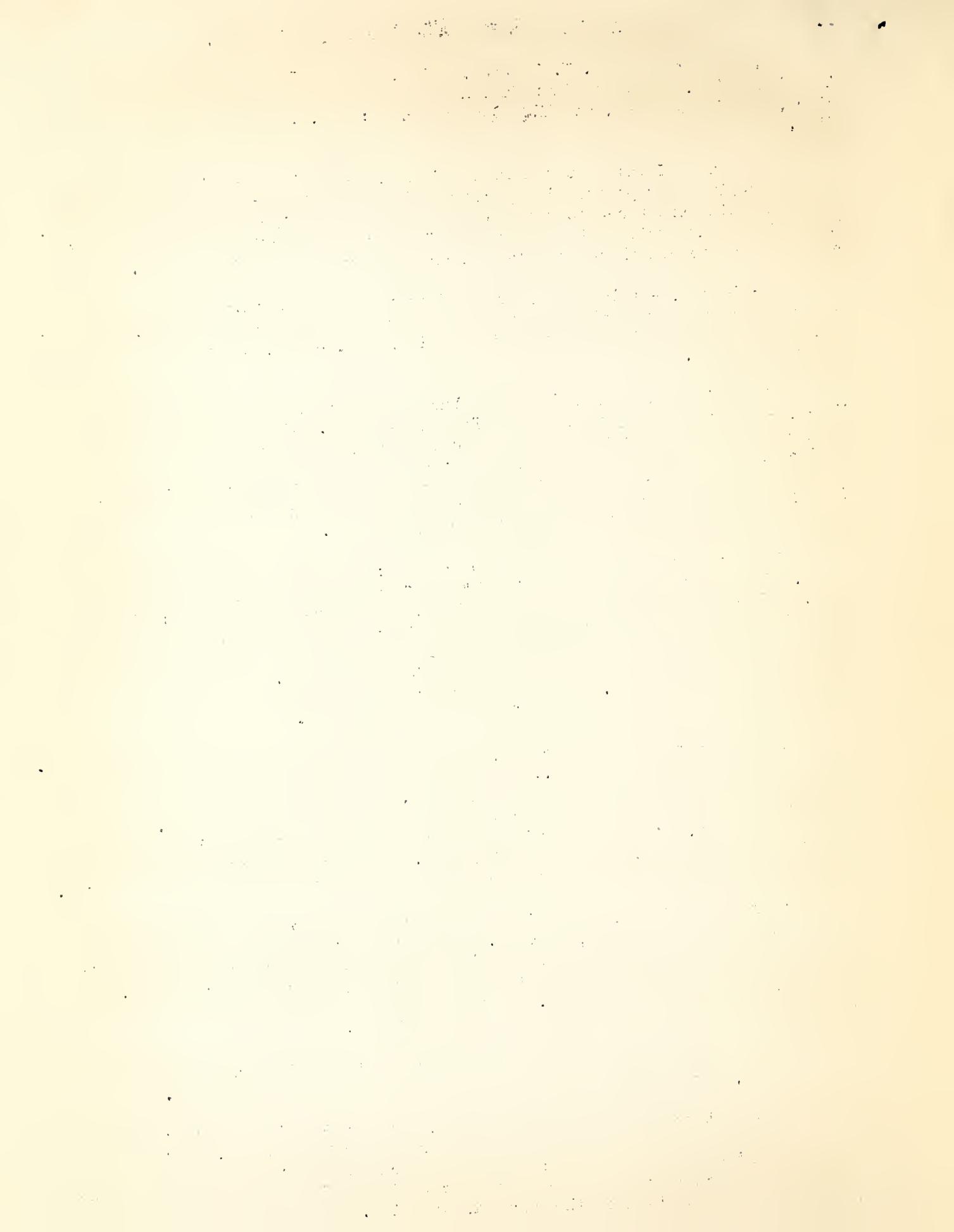
The product was designated by a coined name implying that it was maple sirup. In fact the words "maple" and "sirup" actually appeared as part of the name. They also applied a modest trade boast that read as follows: "One trial is sufficient to convince you that this is the most delicious table sirup that ever reached your table". On the main panel of the label was pictured a maple grove, with buckets hanging from the trees, and a maid carrying the buckets of drawn sap. The formula they gave him called for a mixture of 33 1/3% maple sugar sirup and 66 2/3% cane sugar sirup.

Shortly after the inspection, the sirup was placed on sale in considerable quantities in and about Denver. Immediately your Federal food and drug authorities made an analysis of the material. They would ascertain if that manufacturer told the truth at the time of submission of his formula. They found he had not. Information with respect to this manufacturer's practices was given the Food Commissioner of Colorado. That official took steps to insure that this product was not distributed further to the people of Colorado.

In July the Federal food inspector picked up samples of this sirup from certain dealers in Cheyenne, Wyoming. Your government chemists found that instead of pure refined sugar and maple sugar sirup the product was in reality a sirup consisting of approximately 59% of glucose, a little sugar sirup, and no more than 10% of maple sirup. There was evidence that imitation maple flavor had been added to give it additional flavor.

The manufacturer learned of the Government's sampling and fearing seizure of his goods, immediately ordered the shipment returned to his plant.

In August he was cited to the formal hearing that is always accorded manufacturers charged with violation of your food and drugs act. Through attorneys and officials of the company it was claimed that our analysis was in error since chemists employed by them were disagreeing materially as to what might be the composition of the sirup in question.



Evidently feeling secure in the belief that certain chemists they might employ could becloud the issue before a jury, they apparently decided to continue operations along the line begun. In September other lots of sirups were found at other points in Wyoming, the analyses of which confirmed the findings on the earlier sample. Again the manufacturer immediately ordered it returned to his plant before the necessary seizure papers could be secured from the Federal Court. Meanwhile investigation of other products manufactured or repackaged by this concern had begun. It was found that other brands of sirup were improperly labeled and, furthermore, some were short measure. The Government decided to prosecute and action was instituted.

In December 1924 the sirup company pleaded guilty in Federal Court and accepted a fine for having shipped a mixture of artificially flavored glucose, cane sugar and maple sugar syrup under a label designating it as pure and made from refined and maple sugars. In the same month the coffee company which we believed to be the actual manufacturer of the sirup, not only pleaded guilty to having shipped other brands of adulterated sirup but also short measure sirups, and, in addition, short weight tea and certain coffee upon which net weights had not been declared as the law demands with respect to all food commodities.

Since the fines levied were quite large you would ordinarily imagine that these parties would have felt they had had sufficient trouble. But, no. They had an investment in these cans and furthermore could they ship a mixture of cane sugar and maple sugar sirups under this label, they saw an opportunity to reap a fortune. You ask why, since the label bore the words "Made from pure refined and maple sugar". Remember, I told you that phrase appeared in small type whereas the words "Maple" and "Sirup" were in large type and the outstanding feature on the label was the maple grove with the girl therein carrying buckets of sap, together with pictures of buckets hanging on the maple trees.

What did they do? Late in 1927 they changed their formula and this time the product consisted of 75% sugar sirup and 25% maple sirup. They again began to ship in interstate commerce. Your Government agents naturally sampled the product, judged it misbranded, and removed it from the market through seizure action.

The coffee company intervened and denied that the sirup was misbranded. The case went to trial and in November, 1928, a jury after hearing the evidence returned a verdict that the labels on the sirup were misleading.

Who do you think won that trial for the government? Naturally you answer, - the United States Attorney, together with the Government inspectors and chemists. No, my friends. They contributed but a minor part. The Government subpoenaed some housewives, such as you who are listening today, and placed them upon the witness stand. When presented with a can of this sirup and asked, what they would think they were purchasing, did they buy a can of it, they replied "A maple sirup". That, my friends, convinced the jury the label was misleading. The picture, together with the words "Maple" and "Sirup" conveyed a false and misleading impression to them and since the Federal food and drugs act deems a product misbranded in the event the label bears any statement or design or device which is false or misleading in any part, the jury could do naught but support their contention.

I might just mention that the seizures, the prosecutions, and the final culmination of this manufacturer's activities by trial in Federal Court have in my opinion so damaged his reputation that he will never again be a major factor in the commercial life of that territory.

How many of you know how to read sirup labels? Not many, I'll venture. Because in order to read sirup labels you should first know something about sirups. Let me tell you.

A can labeled "Sirup" unqualified should contain the product made by purifying and evaporating the juice of a sugar producing plant without removing any of the sugar. A sugar cane sirup or cane syrup is sirup made by the evaporation of the juice of the sugar cane and contains not more than 30% of water with a limited amount of ash, - that is $2\frac{1}{2}\%$.

Sugar sirup is the product made by dissolving sugar to the consistency of a sirup and contains not more than 35% of water.

Refiners' sirup is the residual liquid product obtained in the process of refining raw sugars and contains not more than 25% of water and not more than 8% of ash.

Molasses is the product left after separating the sugar from the mush sugar or cane concrete, as it is known in the sugar mill. It contains not more than 25% of water and not more than 5% of ash. Mush sugar or concrete is the product made by evaporating the purified juice of a sugar producing plant, or a solution of sugar, to a solid or semi-solid consistency, in which the sugar exists chiefly in a crystalline state.

Maple sugar or maple concrete is the solid product resulting from the evaporation of maple sap or maple sirup.

Maple sirup is sirup made by the evaporation of maple sap or by the solution of maple concrete, and contains not more than 35% of water, and weighs not less than 11 pounds to the gallon.

Glucose, sometimes called corn sirup, is a thick, sirupy, colorless product made by incompletely hydrolyzing starch, or a starch-containing substance, after which it is decolorized and evaporated. It has a limited ash content.

Sirups which are mixtures of any two or more of those given will generally bear label declaration to that effect. The sirup present in the largest amount is declared first. Artificial color, such as caramel, which is sometimes added to sirup, will generally be found declared upon the label. If a mixture of corn and sugar sirup is artificially colored and flavored with imitation maple, it is an imitation maple sirup and the label should so declare it.

Some manufacturers feature their brand names, and seek to have you infer their mixtures of various sirups with maple sirup contain a large amount of maple. My friends, there are few of these mixtures that contain as much as 20% of maple; although they may have a weak maple flavor since by careful tasting you can detect 5% of maple sirup.

Of course, if the manufacturer adds an imitation maple flavor and color, the product then becomes an imitation maple sirup and should be so labeled.

Manufacturers of packaged sirups have established a trade practice of declaring net contents in terms of weight, - why did they do it? Sirups are heavy. Undoubtedly you are accustomed to think of liquid products in terms of volume. I'll venture few of you have an idea how many pints or quarts may be in a can labeled as containing 2 lbs, 8 ozs. The Food and Drugs Administration made a nation-wide survey among users of table sirups, to ascertain in which manner a declaration of quantity of contents was the most informative. We found it to be most informative when declaration was made in terms of liquid measure. We have so notified sirup manufacturers, but many still declare the contents in terms of weight. My friends, if you think you are getting full pints, quarts and gallon containers of sirups, I suggest you buy only those containers labeled in terms of pints, quarts and gallons.

This, my friends, concludes my tenth talk. If you have not already done so, write to W. W. Vincent, Federal Food and Drug Laboratory, San Francisco, should you be interested in becoming an intelligent label reader and a discriminating buyer.

Next Thursday at this hour I shall tell you something about jams and jellies. You should be interested in them. In the meanwhile "Read the Labels".

